Shivan S.Desai
ADVOCATE

Off:
603, Ambrosia Corporate Park,
6th Floor, Patto,
Panaji, Goa – 403 001.
E-mail: shivandesai@hotmail.com
☎ (0832) 6632470.
Mobile No 9822102911

TITLE REPORT

To,

1. **VIANAAR INFRA LLP,**
   Registration office at 378,
   MMM Road Amritsar,
   Amritsar PB 143001.

2. **ISHOM ESTATE PVT. LTD.,**
   Registration office at H. No. 97-B,
   Manak Shaw Road, Anupam Garden,
   Saidulajab, South Delhi,
   Delhi – 110068.

I. I have pursued the photocopies of the following documents:

a) Survey Records Form I & XIV bearing Survey No. 85 Sub-Division No. 8 of Village Nerul, Bardez – Goa.

b) Inscription Certificate (bearing Inscription No. 1954)

c) Description Certificate (bearing Description No. 3631)

d) Registo do Agrimensor

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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Panaji, Goa – 403 001.
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☎ (0832) 6632470.
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e) Auto De Demarcacao

f) Manual Form I & XIV

g) Form IX

h) Form III

i) Deed of Purchase and Sale dated 23/05/1890

j) Deed of Sale dated 16/03/1979

k) Will dated 06/11/1976

l) Inventory Proceedings bearing No. 602/2018/B filed before the Court of the Civil Judge Senior Division, 'B' Court at Mapusa – Goa

m) Order dated 14/08/2019 passed in the Inventory Proceedings bearing No. 602/2018/B by the Civil Judge Senior Division, 'B' Court at Mapusa – Goa

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n) Memorandum of Understanding dated 13/11/2019

o) Deed of Succession dated 20/12/2019

p) Deed of Sale dated 15/06/2021 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-2218-2021 dated 23/06/2021

q) Deed of Sale dated 15/06/2021 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-2219-2021 dated 23/06/2021

r) Survey Plan

s) Old Cadastral Survey Plan

COURT ORDERS

t) Judgement and Order dated 17/01/2006 passed in Case No. TNC/SR/48/93 by the Court of the Joint Mamlatdar II, Mapusa, Bardez – Goa

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u) Judgement and Order dated 30/11/2016 passed in Tenancy Appeal bearing No. 8/2015 by the Court of the Ad-Hoc District Judge 1 at FTC Mapusa – Goa

v) Order dated 30/01/2018 passed by the High Court of Bombay at Goa in Writ Petition bearing No. 53/2018

w) Documents in Tenancy Case bearing No. TNC/SR-7/NER/10/2019 is pending before Joint Mamlatdat I of Bardez, Mapusa – Goa filed by the said Mr. Sadanand L. Pednekar along with his wife Mrs. Sangeeta Sadanand Pednekar

PERMISSIONS OBTAINED

x) Conversion Sanad dated 11/02/1981 bearing No. RB/CNV/265/80 issued by the Collector of Goa, Panaji – Goa

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y) Conversion Sanad dated 14/07/2021 bearing No. 4/189/CNV/AC-III/2020/841 issued by the Additional Collector-III, North Goa District, Mapusa – Goa

z) Corresponding Certificate dated 19/06/2020 issued by Bosco M. Gonsalves, Civil Engineer, Verem, Bardez – Goa

aa) Zoning Certificate dated 12/08/2020 bearing Ref. No. TPBZ/ZON/7460/NERUL/TCP-20/3062 issued by Deputy Town Planner, Town and Country Planning Department, Mapusa – Goa.

bb) Nil Encumbrance Certificate dated 11/08/2020 bearing No. 1274/2020

cc) Nil Encumbrance Certificate dated 18/02/2021 bearing No. 455/2021

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dd) Corresponding Certificate dated 02/09/2020 bearing No. 9(02)-81/DSLR-2020/2289 issued by Directorate of Settlement & Land Records, Panaji – Goa

ee) Certificate dated 24/08/2021 issued by Adv. Ralph Mascarenhas, Calangute, Bardez – Goa

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE-I

(DESCRIPTION OF THE SAID LARGER PROPERTY)

ALL that Plot named "Lourenco Esteves" or 20 lote de 5/6 partes do Palmar" a conta de Muturia Ambeachem Batta" with 1/3 of its annex named "BATULEM" also known as "AMBEA KENI" situated at Village Nerul, within the jurisdiction of Village Panchayat of Nerul, Taluka and Sub-District of Bardez, District North Goa, State of Goa, presently surveyed under Survey No. **85** Sub-Division No. **8** (Survey No. 85/8) of Village Nerul, which property is described in

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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the Land Registration Office (Conservatoria do Registo Predial Office) Panaji under No. 3631 at page 109 of Book No. B-1 New of Bardez and not known to be enrolled in the Taluka Land Revenue Office, admeasuring **8850 sq. mts.**, and bounded as under :-

Towards the North :- By the road Verem-Nerul;

Towards the South :- By the parallel road known as Avenida de Nerul;

Towards the East :- By the plot of Lopes Pinto;

Towards the West :- By the plot belonging to the heirs of Maria Conceicao Rodrigues;

This property shall hereinafter referred to as the **SAID LARGER PROPERTY**

SCHEDULE-II

(DESCRIPTION OF THE SAID PROPERTY)

ALL that plot of land admeasuring **6451.25 sq. mts.**, bearing Survey No. 85/8-A of Village Nerul

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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ADVOCATE

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forming part of the larger property described in **SCHEDULE-I** hereinabove and bounded as under :-

Towards the North :- By the road Verem-Nerul;

Towards the South :- By the parallel road known as Avenida de Nerul;

Towards the East :- By the property bearing Survey No. 85/9 of Village Nerul;

Towards the West :- By the property bearing Survey No. 85/8 of Village Nerul;

This property shall hereinafter referred to as the **SAID PROPERTY.**

SCHEDULE-III

(DESCRIPTION OF THE SAID PLOT 'A')

ALL that portion of land denominated as Plot A admeasuring **3125 sq. mts.**, forming part of the said property described in **SCHEDULE-II** hereinabove and bounded as under :-

Towards the North :- By the road Verem-Nerul;

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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Towards the South :- By the remaining property bearing Survey No. 85/8-A of Village Nerul;

Towards the East :- By the property bearing Survey No. 85/9 of Village Nerul;

Towards the West :- By the property bearing Survey No. 85/8 of Village Nerul;

This property shall hereinafter referred to as the **SAID PLOT 'A'.**

SCHEDULE-IV

(DESCRIPTION OF THE SAID PLOT 'B')

ALL that portion of land denominated as Plot B admeasuring **3326 sq. mts.**, forming part of the said property described in **SCHEDULE-II** hereinabove and bounded as under :-

Towards the North :- By the remaining property bearing Survey No. 85/8-A of Village Nerul;

Towards the South :- By the Public Road;

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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Mobile No 9822102911

Towards the East :- By the property bearing Survey No. 85/9 of Village Nerul;

Towards the West :- By the property bearing Survey No. 85/8 of Village Nerul;

This property shall hereinafter referred to as the **SAID PLOT 'B'.**

III. TRACING OF PARTIES TITLE:

1. The **SAID LARGER PROPERTY** is described under No. 3631 and inscribed on ***19th July 1890*** under No. 1954 in favour of Domingos Joao da Silva. Inscription Certificate reveals that the **SAID LARGER PROPERTY** was purchased by the said Domingos Joao da Silva vide Deed of Purchase and Sale dated 23/05/1890 from Avelino de Souza.

2. **Inscription and Description Certificates are records maintained during the Portuguese Regime wherein the record of title was**

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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maintained. Portuguese Regime in Goa continued upto 1961 and post 1961, the Land Registration records are not updated. However the said records are still recognized by the Courts and departments for the purpose of title to the property. In terms of the system then prevailant, every property had a description number which describes the property and a corresponding inscription number which records the name of the owner of the same which document is referred to as Description & Inscription Certificate. In terms of the Portuguese Law which is still applicable in Goa and in terms of the principles of law laid down by the courts in Goa, the Inscription & Description Certificate (Land Registration Certificate) is a title document for all legal and practical purposes and therefore the same is a vital document for assessment of title to the property.

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3. Registo Do Agrimensor reveals that **the SAID LARGER PROPERTY** bearing old Cadastral Survey No. **391** originally belonged to Felecidede de Souza, widow of Domingos Joao de Silva, Romano Nascimento de Silva, Augusto Joaquim Faustino de Silva, Faustino Batista de Silva, Bartolomeu de Silva and Damaso Franco Mariano de Silva, sons of the said Domingos and Felecidede.

4. Corresponding Certificate dated 19/06/2020 issued by Bosco M. Gonsalves, Civil Engineer, Verem, Bardez – Goa AND Corresponding Certificate dated 02/09/2020 bearing No. 9(02)-81/DSLR-2020/2289 issued by Directorate of Settlement & Land Records, Panaji - Goa reveals that the **SAID LARGER PROPERTY** bearing Old Cadastral Survey No. 391 corresponds to survey No. 85/8 of Village Nerul, Bardez – Goa. ***The Correspondence Certificate issued by Directorate of Settlement and Land Records would establish the co-relation between***

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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the old cadastral survey record and the present Goa Settlement records and assists in identifying the property for the purpose of due diligence.

5. ***Registo Do Agrimensor*** and Cadastral Survey Records are land records which were promulgated during the Portuguese Regime under the Codigo De Registo Rules. Under the said Rules, the said Registo Do Agrimensor and Cadastral Survey Records were prepared on the basis of Ownership of the property and not just on the basis of possession. Although the said Registo is not a document of title, the same is indicative of the ownership status at the time of the survey and in the absence of Description and Inscription Certificate can be considered for the purpose of devolution of ownership.

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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ADVOCATE

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6th Floor, Patto,
Panaji, Goa – 403 001.
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☎ (0832) 6632470.
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6. The said Cadastral Survey No. 391 read with the Registo Do Agrimensor and Inscription Description Certificate establishes that **the SAID LARGER PROPERTY** originally belonged to Felecidede de Souza, widow of Domingos Joao de Silva, Romano Nascimento de Silva, Augusto Joaquim Faustino de Silva, Faustino Batista de Silva, Bartolomeu de Silva and Damaso Franco Mariano de Silva, sons of the said Domingos and Felecidede.

7. Vide Deed of Sale dated 16/03/1979, the said Faustino Baptista da Silva sold an area of 2398.75 sq. mts. forming part of **the SAID LARGER PROPERTY** in favour of Mr. Paulo Rafael Agostinho dos Santos.

8. Vide Will dated 06/11/1976, the said Augusto Joaquim Faustino da Silva alias Augusto Joaquim Faustino de Silva alias Agostinho D'Silva bequeathed all his properties in favour of his

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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nephews, Domingos Joao Xavier da Silva and Mauricio Silvestre Francisco da Silva

9. Judgement and Order dated 17/01/2006 passed in Case No. TNC/SR/48/93 by the Court of the Joint Mamlatdar II, Mapusa, Bardez – Goa reveals that one Ankush Shankar Pednekar had filed an Application dated 07/10/1993 under Section 7 of the Agricultural Tenancy Act for declaration and injunction, that he is a tenant in respect of **the SAID LARGER PROPERTY** and vide Judgement and Order dated 17/01/2006 passed in Case No. TNC/SR/48/93 by the Court of the Joint Mamlatdar II, Mapusa, Bardez – Goa, the said Tenancy Declaration and Injunction Application dated 07/10/1993 was dismissed.

10. The said Judgement and Order dated 17/01/2006 passed in Case No. TNC/SR/48/93 by the Court of the Joint Mamlatdar II, Mapusa, Bardez – Goa was

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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challenged by the legal heirs of the said Ankush Shankar Pednekar in Tenancy Appeal bearing No. 8/2015 before the Ad-Hoc District Judge 1 at FTC Mapusa.

11. Vide Judgement and Order dated 30/11/2016 passed in the said Tenancy Appeal bearing No. 8/2015 by the Court of the Ad-Hoc District Judge 1 at FTC Mapusa – Goa, the said Tenancy Appeal bearing No. 8/2015 was dismissed and has confirmed the Judgement and Order dated 17/01/2006 passed by the Joint Mamlatdar II, Mapusa, Bardez – Goa in Case No. TNC/SR/48/93, whereby the Joint Mamlatdar has dismissed the application under Section 7 of the Agricultural Tenancy Act filed by Ankush Shankar Pednekar.

12. The said Judgement and Order dated 30/11/2016 passed in the said Tenancy Appeal bearing No. 8/2015 by the Court of the Ad-Hoc District Judge 1

SHIVAN S. DESAI ★ ADVOCATE ★ PANAJI GOA

Shivan S.Desai
ADVOCATE

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at FTC Mapusa – Goa was further challenged by the said legal heirs of the said Ankush Shankar Pednekar in Writ Petition bearing No. 53/2018 before the Hon'ble High Court of Bombay at Panaji - Goa.

13. Vide Order dated 30/01/2018 passed by the High Court of Bombay at Goa in Writ Petition bearing No. 53/2018, the said Writ Petition bearing No. 53/2018 was dismissed by the Hon'ble High Court of Bombay at Panaji - Goa and came to the conclusion that the said legal heirs of Ankush Shankar Pednekar failed to establish that Ankush Shankar Pednekar was a tenant of **the SAID LARGER PROPERTY**.

14. Inventory Proceedings bearing No. 602/2018/B filed before the Court of the Civil Judge Senior Division, 'B' Court at Mapusa – Goa reveals as under :

A. THAT the said Domingos Joao Da Silva alias Domingos Joao De Silva alias Domingos

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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ADVOCATE

Off:
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Aleixo Joao Da Silva alias Joao D'Silva was married to Felecidede D'Souza alias Felecidede De Souza alias Felecidede D'Silva under the regime of general communion of assets.

B. THAT the said Felecidede D'Souza alias Felecidede De Souza alias Felecidede D'Silva passed away on 15/08/1939 and her husband, the said Domingos Joao Da Silva alias Domingos Joao De Silva alias Domingos Aleixo Joao Da Silva alias Joao D'Silva had pre-deceased her leaving behind their following FIVE children as their only and universal legal heirs :

i. Damasco Franco D'Silva alias Damaso F. D'Silva alias Damaso Franklin D'Silva alias Damaso Franco Mariano de Silva alias Damasco Francomariano D'Silva alias Damasco Franco Mariano da Silva

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alias Damaso Franco D'Silva alias Damasso Franco married to Lily D'Silva alias Lilly (Maria Elisa) D'Silva alias Maria Eliza Lilia D'Silva alias Maria Eliza Lilia Goveia alias Maria Elisa Lilia Goveia.

ii. Augusto Joaquim Faustino da Silva alias Augusto Joaquim Faustino de Silva alias Agostinho D'Silva,

iii. Romano Nascimento da Silva alias Romano Nascimento de Silva alias Romano Nacimento de Silva married to Helena Ana Rita Alvares alias Alena Ana Rita Alvares

iv. Faustino Batista de Silva alias Faustino Baptist D'Silva alias Faustino Baptista D'Silva

v. Bartolomeu de Silva alias Curcino da Silva alias Bartholomeu da Silva alias Cursino D'Silva

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C. THAT the said Damasco Franco D'Silva passed away on 27/06/1944 and his wife, the said Lily D'Silva passed away on 12/07/2005 leaving behind their only son as their sole legal heir, Mr. Maurice Silvestre Francis da Silva alias Maurice Silvestre Francis D'Silva alias Maurice S. F. D'Silva alias Maurice D Silva alias Mauricio Silvestre Francisco da Silva alias Maurice da Silva married to Mrs. Carmen D'Silva alias Carmen Fernandes alias Carmen Agnes Julie Fernandes alias Carmen Agnes Julie D'Silva.

D. THAT the said Mr. Maurice Silvestre Francis da Silva passed away on 17/09/2016 leaving behind his widow and moiety holder, the said Mrs. Carmen D'Silva alias Carmen Fernandes alias Carmen Agnes Julie Fernandes alias Carmen Agnes Julie D'Silva and his following

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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TWO children as his only and universal legal heirs :

i. Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes married to Mr. Roy Fernandes

ii. Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva married to Mrs. Charmaine Dias alias Charmaine Jessica Dias

E. THAT the said Augusto Joaquim Faustino da Silva alias Augusto Joaquim Faustino de Silva alias Agostinho D'Silva passed away on 21/04/1979 and the said Faustino Batista de Silva alias Faustino Baptist D'Silva alias Faustino Baptista D'Silva passed away on 08/08/1982 and the said Bartolomeu de Silva alias Curcino da Silva alias Bartholomeu da Silva alias Cursino D'Silva passed away on 04/02/1956 in the status of bachelors.

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ADVOCATE

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F. THAT the said Romano Nascimento da Silva passed away on 25/11/1979 and the said Helena Ana Rita Alvares passed away on 05/09/1932 leaving behind their ONLY son as their sole and universal legal heir, Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva ,married to Mrs. Winifred da Silva alias Venifrida Afonso alias Vinifred Afonso

15. Upon the death of the said Domingos Joao Da Silva alias Domingos Joao De Silva alias Domingos Aleixo Joao Da Silva alias Joao D'Silva and his wife, Felecidede D'Souza alias Felecidede De Souza alias Felecidede D'Silvas, Inventory Proceedings bearing No. 602/2018/B was filed before the Court of the Civil Judge Senior Division, 'B' Court at Mapusa – Goa and **the SAID LARGER PROPERTY** was listed at **Item No. 4** in the LIST OF ASSETS.

SHIVAN S. DESAI ADVOCATE PANAJI GOA

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16. Vide Order dated 14/08/2019 passed in the Inventory Proceedings bearing No. 602/2018/B by the Civil Judge Senior Division, 'B' Court at Mapusa – Goa, the Chart of Allotment dated 29/07/2019 was confirmed wherein **the SAID LARGER PROPERTY** was allotted in the following manner :

Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes married to Mr. Roy Fernandes	One Fourth rights
Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva married to Mrs. Charmaine Dias alias Charmaine Jessica Dias	One Fourth rights
Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva married to Mrs. Winifred da Silva alias Venifrida Afonso alias Vinifred Afonso	Half rights

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17. Deed of Succession dated 20/12/2019 reveals that the said Mrs. Winnie John De Silva alias Winifred da Silva alias Venifrida Afonso alias Vinifred Afonso alias Vinnie De Silva alias Winnie or Helena Ana Rita Alvares passed away on 21/10/2019 leaving behind her widower and half sharer, the said Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier alias Domingos Joao Xavier de Silva alias Domnic John Da alias Domnic John Xavier Da Silva and the following legal heirs :

    i. Mr. Donatus Dores Da Silva married to Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva

    ii. Mr. Sunil Fietcher Da Silva married to Mrs. Meena Sunil Da Silva alias Meena D'Cruz

    iii. Mrs. Maria Helena Da Silva married to Mr. Ryan Francis Fernandes

18. Vide Memorandum of Understanding dated 13/11/2019, the said Mrs. Nancy Susan D'Silva

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alias Nancy Susan Fernandes along with her husband, Mr. Roy Fernandes; Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva along with his wife, Mrs. Charmaine Dias alias Charmaine Jessica Dias and Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva; Mr. Donatus Dores Da Silva along with his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva; Mr. Sunil Fietcher Da Silva along with his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz and Mrs. Maria Helena Da Silva along with her husband, Mr. Ryan Francis Fernandes agreed to sell a plot of land admeasuring **6451.25 sq. mts.**, forming part of **the SAID LARGER PROPERTY** which plot shall hereinafter referred to as the **SAID PROPERTY** and more particularly described in **SCHEDULE-II** hereinabove, in favour of Mr. Siddharth Anand Shirodkar.

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ADVOCATE

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19. Manual Form I & XIV, Form IX AND Form III are Revenue Records prepared under the applicable Goa Land Revenue Code

Manual Form I & XIV, Form IX AND Form III:

in respect of the SAID PROPERTY bearing Survey No. 85/8 of Village Nerul, Bardez – Goa clearly shows the name of Faustino Baptista D'Silva. The said Manual Form I & XIV is consistent with the devolution of ownership.

20. Tenancy Case bearing No. TNC/SR-7/NER/10/2019 is pending before Joint Mamlatdat I of Bardez, Mapusa – Goa filed by the said Mr. Sadanand L. Pednekar along with his wife Mrs. Sangeeta Sadanand Pednekar claiming tenancy rights in respect of the of **the SAID LARGER PROPERTY.** Vide Order dated 21/06/2021, the said Tenancy Case bearing No. TNC/SR-7/NER/10/2019 was withdrawn.

SHIVAN S. DESAI ADVOCATE PANAJI GOA

Shivan S.Desai
ADVOCATE

Off:
603, Ambrosia Corporate Park,
6th Floor, Patto,
Panaji, Goa – 403 001.
E-mail: shivandesai@hotmail.com
☎ (0832) 6632470.
Mobile No 9822102911

21. Vide Deed of Sale dated 15/06/2021 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-2218-2021 dated 23/06/2021, the said Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes and her husband, Mr. Roy Fernandes; Mrs. Carmen Agnes Julie D'Silva alias Carmen Agnes Julie Fernandes; Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva alias Kevin Maurice DSilva and his wife, Mrs. Charmaine Dias alias Charmaine D Silva alias Charmaine Jessica Dias; Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva alias Domingos J D'silva alias Domnic John Xavier Da Silva; Mr. Donatus Dores Da Silva and his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva; Mr. Sunil Fietcher Da Silva and his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz and Mrs. Maria Helena Da Silva and her husband, Mr. Ryan Francis Fernandes sold the **PLOT 'A',** admeasuring

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ADVOCATE

Off:
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Panaji, Goa – 403 001.
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3125 sq. mts., forming part of **the SAID PROPERTY,** admeasuring **6451.25 sq. mts.** which plot shall hereinafter referred to as the **SAID PLOT 'A'** and more particularly described in **SCHEDULE-III** hereinabove, in favour of Ishom Estate Pvt. Ltd. and the said Deed of Sale dated 15/06/2021 was confirmed by the said Mr. Siddharth Anand Shirodkar and his wife, Mrs. Shraddha Siddharth Shirodkar in pursuance to their right occurred from Memorandum of Understanding dated 13/11/2019.

22. Vide Deed of Sale dated 15/06/2021 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-2219-2021 dated 23/06/2021, the said Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes and her husband, Mr. Roy Fernandes; Mrs. Carmen Agnes Julie D'Silva alias Carmen Agnes Julie Fernandes; Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva alias Kevin Maurice DSilva and his wife, Mrs.

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Charmaine Dias alias Charmaine D Silva alias Charmaine Jessica Dias; Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva alias Domingos J D'silva alias Domnic John Xavier Da Silva; Mr. Donatus Dores Da Silva and his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva; Mr. Sunil Fietcher Da Silva and his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz and Mrs. Maria Helena Da Silva and her husband, Mr. Ryan Francis Fernandes sold the **PLOT 'B',** admeasuring **3326 sq. mts.**, forming part of **the SAID PROPERTY,** admeasuring **6451.25 sq. mts.** which plot shall hereinafter referred to as the **SAID PLOT 'B'** and more particularly described in **SCHEDULE-IV** hereinabove, in favour of Vianaar Infra LLP and the said Deed of Sale dated 15/06/2021 was confirmed by the said Mr. Siddharth Anand Shirodkar and his wife, Mrs. Shraddha Siddharth

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Shirodkar in pursuance to their right occurred from Memorandum of Understanding dated 13/11/2019.

23. Certificate dated 24/08/2021 issued by Adv. Ralph Mascarenhas, Calangute, Bardez – Goa reveals that Public Notice dated 05/05/2021 was published in daily newspaper Navhind Times and Gomantak on 06/05/2021 in respect of the **SAID PROPERTY,** bearing Survey No. **85/8-A** of Village **Nerul,** Bardez – Goa and no objections were received in pursuance to the said Public Notice. In this respect, conclusion is based on the Certificate dated 24/08/2021 issued by Adv. Ralph Mascarenhas, Calangute, Bardez – Goa.

24. In light of above, considering the fact that the Inscription and Description records, Registo Do Agrimensor, Will dated 06/11/1976, Order dated 14/08/2019 passed in the Inventory Proceedings bearing No. 602/2018/B by the Civil Judge Senior

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Division, 'B' Court at Mapusa – Goa, Deed of Succession dated 20/12/2019, Deed of Sale dated 15/06/2021 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-2218-2021 dated 23/06/2021 and Deed of Sale dated 15/06/2021 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-2219-2021 dated 23/06/2021 and the Survey Records in respect of **the SAID PROPERTY**, have remained unchallenged and the survey records corresponds to the devolution of title and is consistent with the ownership of the present owners, I am of the opinion that **ISHOM ESTATE PVT. LTD.** has clear and marketable title in respect of the **SAID PLOT 'A',** admeasuring **3125 sq. mts.**, forming part of **the SAID PROPERTY,** more particularly described in **SCHEDULE-III** hereinabove and **VIANAAR INFRA LLP** has clear and marketable title in respect of the **SAID PLOT 'B',** admeasuring **3326 sq. mts.**, forming part of **the SAID**

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PROPERTY, more particularly described in **SCHEDULE-IV**.

IV. <u>In addition to above, I have to make the following observations:</u>

1. No tenants/Mundkars are reflected in the survey records of the said property.

2. The Urban Ceiling Act is not applicable to the State of Goa.

3. Conversion Sanad dated 14/07/2021 bearing No. 4/189/CNV/AC-III/2020/841 issued by the Additional Collector-III, North Goa District, Mapusa – Goa reveals that the **SAID PROPERTY**, admeasuring **6451 sq. mts.** was converted for the purpose of Residential with 60 F.A.R.

4. Land Use Zoning Certificate dated 12/08/2020 bearing Ref. No. TPBZ/ZON/7460/NERUL/TCP-

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20/3062 issued by Deputy Town Planner, Town and Country Planning Department, Mapusa – Goa has been furnished which reveals that **the SAID LARGER PROPERTY** falls in "Settlement Zone" as per Regional Plan for Goa 2021. **The said zoning Certificate is valid only for 6 months from the date of issuance.**

5. No NOC is furnished from the Forest Department to establish that the **SAID PROPERTY** is not identified as a Forest Land

V. EVIDENCE OF POSSESSION:-

The **SAID PROPERTY** surveyed under Survey No. **85/8-A** of Village **Nerul** reflect the names of Vianaar Infra LLP and Ishom Estate Pvt. Ltd. in Form I & XIV issued by the Department of Survey, Government of Goa which establishes the ownership of the present owners in respect of **the SAID PROPERTY**.

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VI. ENCUMBRANCE ON PROPERTY:-

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not found any registered mortgages in respect of the said property. Nil Encumbrance Certificate dated 11/08/2020 bearing No. 1274/2020 and Nil Encumbrance Certificate dated 18/02/2021 bearing No. 455/2021 in respect of the **said PROPERTY** admeasuring **6451 sq. mts.**, forming part of **the SAID LARGER PROPERTY** is furnished to establish that there is no encumbrance.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that **ISHOM ESTATE PVT. LTD.** has clear and marketable title in respect of the **SAID PLOT 'A'**, admeasuring **3125 sq. mts.**, forming part of **the SAID PROPERTY,** more particularly

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described in **SCHEDULE-III** hereinabove and **VIANAAR INFRA LLP** has clear and marketable title in respect of the **SAID PLOT 'B',** admeasuring **3326 sq. mts.**, forming part of **the SAID PROPERTY,** more particularly described in **SCHEDULE-IV**.

➢ **General Qualifications and Assumptions**

- This report on title is prepared solely on the basis of documents furnished to me as more particularly set out at 'I' above.
- For the purpose of issuing this report on title:

(a) I have not carried out a negative search in respect of litigations (i) in relation to the said property and/or (ii) against the larger property; and

(b) I have taken the title documents under which Felecidede de Souza, widow of Domingos Joao de Silva, Romano Nascimento de Silva, Augusto Joaquim Faustino de Silva, Faustino Batista de Silva, Bartolomeu de Silva and Damaso Franco

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Mariano de Silva, sons of the said Domingos and Felecidede acquired the Land as the root of title.

- For the purpose of issuing this report on title, I have assumed:

(a) the legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents of all documents of title submitted to me, asset out at 'I' above, as photocopies or scanned copies and the authenticity of the originals of such documents;

(b) that the documents of title set out in the report above have not been modified in any manner and are valid, subsisting and remain in force;

(c) that all the documents relating to the said property and furnished to me have been validly executed and delivered by the parties to them;

(d) that all documents are within the capacity and powers of each party and have been validly authorized by each party;

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(e) that there are no pending litigations in respect of the said property; and

(f) that names of persons spelt differently in different documents in respect of the said property are the same person;

- The accuracy of this report on title necessarily depends on the documents furnished to me and the information provided to me during the course of my discussions, being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.
- This report on title is confined to the said property only.
- The search conducted at the Office of the Sub-Registrar of Mapusa, Bardez - Goa is subject to non-availability of certain records and certain land

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registration records being torn at the concerned Sub-Registrar's Office.

- The availability/existence of the access to the **SAID PROPERTY** is not within the scope of this report
- A certificate determination, notification, opinion or the like will not be binding on an Indian court or any arbitrator or judicial or regulatory body which would have to be independently satisfied despite any provision in the title documents to the contrary. The report on title has been prepared in accordance with and is subject the laws of India.

Place:- Panaji-Goa.

Date:- 24/08/2021

SHIVAN S. DESAI ADVOCATE PANAJI GOA

(Adv. Shivan S. Desai)